

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (E 3338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs.	Application 00-11-038 (Filed November 16, 2000)
Emergency Application of Pacific Gas and Electric Company to Adopt a Rate Stabilization Plan. (U 39 E)	Application 00-11-056 (Filed November 22, 2000)
Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527.	Application 00-10-028 (Filed October 17, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
REGARDING SCHEDULING AND OTHER PROCEDURAL MATTERS FOR
DEPARTMENT OF WATER RESOURCES' REVENUE REQUIREMENT
ALLOCATION**

On November 6, 2001, Pacific Gas and Electric Company (PG&E) filed a motion seeking a one-day extension of time until November 8 for parties to submit testimony and an extension until November 13 for written comments regarding the Department of Water Resources (DWR) requirements. PG&E makes this request in view of the delay in receipt of responses to data requests from DWR and also in view of the delay in receipt of the formal submission of DWR's updated revenue requirement.

On October 26, 2001, the Assigned Commissioner issued a ruling (October 26 ACR) which called for DWR to provide its response to data requests

on November 1, 2001, and to submit its revised revenue requirement on November 2, 2001. The procedural schedule further calls for testimony and comments to be filed by November 7.

PG&E states that it only received DWR's response to data requests well after the close of business on Friday, November 2, and is still in the process of evaluating the quality of DWR's responses. Because of these circumstances, PG&E states it has been impeded in the preparation of its testimony. DWR's revised requirement was received by PG&E on November 5, at 9:51 p.m. PG&E states that DWR has apparently not yet provided the supporting materials for the submission that PG&E had requested. Those personnel who need to examine the revenue requirement submission are the same ones who are in the process of preparing testimony.

Consequently, PG&E makes the following requests. PG&E request that the date for the submission of testimony be delayed one day to November 8, and that the date for submission of comments be delayed to November 13. Otherwise, PG&E proposes that the rest of the procedural schedule remain unchanged.

Discussion

Because of the delay in DWR's responding to data requests and in submitting its updated revenue requirement, the due date for the submission of parties' testimony is hereby extended one day, to November 8, 2001. The due date for the filing of parties' written comments on the DWR updated revenue requirement is extended to November 13, 2001. The remainder of the procedural schedule, including the time for the prehearing conference (PHC) on Friday, November 9 at 10:00 a.m., and the start of evidentiary hearings on Tuesday, November 13, at 9:00 a.m., shall remain in effect.

This ruling also addresses the following procedural measures in preparation for evidentiary hearings. Each active party serving prepared testimony is directed to advise the assigned ALJ by e-mail no later than 5:00 p.m. on November 8th of any scheduling preferences or constraints in terms of availability of each witnesses that will give live testimony. At the PHC, the specific order of witnesses will be discussed. Efforts will be made to accommodate witnesses' schedule preferences for testifying and to reserve specific dates for witnesses to appear, subject to the dictates of the overall procedural schedule.

At the PHC, active parties should be prepared to discuss expected cross-examination time required for each witness of opposing parties. Parties with allied interests should coordinate both in terms of prepared testimony and cross-examination to avoid duplication of efforts and to avoid "friendly" cross-examination.

Any motions to strike testimony should be filed no later than 5:00 p.m. on November 9, 2001. To the extent that any testimony relies upon underlying calculations and assumptions that are not readily discernable from the testimony itself, parties should concurrently provide workpapers in computer-readable format containing the underlying calculations, assumptions, and cross-references necessary to support the testimony. To the extent that either the testimony or supporting workpapers contain data that is deemed confidential, parties should separately provide redacted and unredacted versions, with the unredacted versions being provided only to those parties that have signed the appropriate nondisclosure agreement.

IT IS RULED that:

1. The motion of Pacific Gas and Electric Company (PG&E) seeking an extension in the schedule for testimony and written comments is granted.
2. The due date for testimony to be served in this matter is revised to November 8, 2001.
3. The date for written comments on the updated Department of Water Resources revenue requirement is also revised to November 13, 2001.
4. The previously scheduled dates for the prehearing conference (PHC) and evidentiary hearings shall remain in effect.
5. Any motions to strike testimony shall be filed no later than 5:00 p.m. on November 9, 2001.
6. Parties serving testimony shall concurrently provide any applicable workpapers in computer-readable format containing the underlying calculations, assumptions, and cross-references that are necessary to support the testimony, subject to redaction where parties have not entered into an appropriate nondisclosure agreement.
7. At the PHC, active parties shall be prepared to discuss expected cross-examination time required for each witness of opposing parties.

Dated November 6, 2001, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Regarding Scheduling and Other Procedural Matters for Department of Water Resources' Revenue Requirement Allocation on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated November 6, 2001, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.